

**REMARKS**

In order to promote administrative efficiency and better communication, the Examiner is invited to make suggestions at any time during the proceedings, via phone, fax or e-mail, whenever such suggestions are within the Examiner's discretion as an aid to placing the claims in order for allowance in a timely manner.

In the Drawings:

At the request of the Examiner, replacement drawings Figures 8, 9A, 9B and 10 are attached.

Claim Rejections: 102(b) Rejection based on Salyer:

The Examiner rejected claims 1-4, 6-8, 10-12 and 17-19 under 35 U.S.C. §102(e) as being anticipated by Salyer (US Publication No 2002/0099380). Consistent with the changes discussed with the Examiner during the President's Day interview, claims one and six more clearly recite structural limitations which are not found in Salyer. Claim 2 has been amended for consistency. In particular, it is believed that the amended phrases make clear that the Applicant's housing separates transversely from one another with respect to the axis of the spindle. It is believed therefore that claims 1 and 6 are defined so as to be patentably distinct from the Salyer prior art and that the differences constitute structural limitations in the claims. Consequently, it is believed that claims 1 and 6 as well as all claims dependent therefrom are patentable. Acknowledgment of this fact is respectfully requested.

Claim Rejections: §103, based on Salyer in view of Lewis:

*Clarification of Office Inconsistency:*

As already communicated, in reviewing the office action, the Undersigned noticed a small but potentially confusing typo/error of the Office. In particular, it is believed that the Examiner erroneously cited a patent to "Lewis" as his secondary reference in the Office Action dated June 15, 2007 (page 4). However, the patent number referred to in the Lewis cite was 3,723,995 which actually corresponds to a patent issued to Baumann. There is however a Lewis publication No. 2002/0116007 that was listed in the mentioned June 2007 office action, but the Examiner has not applied Lewis to any of the pending claims. This Lewis/Baumann ambiguity was carried over to the present office action from a prior office action. Based on our study of Lewis, which appears not at all relevant to the current claims, we assume the Examiner intended to cite another reference. Applicant asks the Examiner to correct this error on the record in his next response. Withdrawing the current office action and resetting the time period for response may be in order, and if so, is respectfully requested.

*The Examiner's Rejection:*

The Examiner rejected claims 13-16 and 20-23 under §103(a) as being unpatentable over Salyer in view of Lewis [sic]. Applicant has amended claims 1 and 6 so as to more clearly define over Salyer. Because neither Lewis nor Baumann add anything to Salyer pertinent to the claims as currently amended, the independent claims are therefore patentable. As such, it is believed that the all claims, including claims 13-16 and 20-23, which are dependent therefrom, also define patentable inventions. Acknowledgment of this fact is respectfully requested.

The Examiner further rejects claims 5 and 9 under §103(a) as being unpatentable over Salyer, in view of what the Examiner considers to be an obvious design choice. At this point, Applicant asserts that claims 5 and 9 are now patentable

by virtue of their being dependent on patentable independent claims.  
Acknowledgment of this fact is respectfully requested.

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